

ELEVENTH DAY.

(Monday, April 30, 1923.)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and developed the fact that there was not a quorum present.

Mr. Burmeister moved a call of the House for the purpose of securing a quorum, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Burmeister, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

ADDRESS BY HON. H. B. HILL.

On motion of Mr. Satterwhite, Hon. H. B. Hill was invited to address the House.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Hon. H. B. Hill to the Speaker's stand:

Messrs. Satterwhite, Young and Chitwood.

The committee having performed their duty, Speaker Seagler introduced Hon. H. B. Hill.

Mr. Hill then addressed the House.

The roll was again called and the following members were announced present:

Abney.	Collins.
Arnold.	Covey.
Atkinson.	Cowen.
Avis.	Culp.
Baker of Milam.	Davenport.
Baker of Orange.	Davis.
Baldwin.	DeBerry.
Barker.	Downs.
Beasley.	Driggers.
Bell.	Duffey.
Bird.	Dunlap.
Bobbitt.	Dunn.
Bonham.	Durham.
Bryant.	Faubion.
Burmeister.	Fields.
Cable.	Finlay.
Carpenter	Fugler.
of Matagorda.	Gipson.
Carson.	Greer.
Chitwood.	Hardin of Erath.
Coffee.	Harrington.

Harris.	Perdue.
Henderson	Pool.
of Marion.	Pope.
Henderson	Potter.
of McLennan.	Price.
Hendricks.	Quaid.
Howeth.	Rice.
Irwin.	Robinson.
Jacks.	Rountree.
Jennings.	Rowland.
Lackey.	Sackett.
Laird.	Satterwhite.
Lane.	Shearer.
Lewis.	Shires.
Loftin.	Simpson.
McBride.	Smith.
McDaniel.	Sparkman.
McDonald.	Stell.
McKean.	Stevens.
McNatt.	Stewart
Martin.	of Edwards.
Mathes.	Stewart of Jasper.
Maxwell.	Stewart of Reeves.
Melson.	Stiernberg.
Merritt.	Storey.
Miller.	Stroder.
Montgomery.	Sweet.
Moore.	Thompson.
Morgan	Thrasher.
of Liberty.	Vaughan.
Morgan	Wallace.
of Robertson.	Westbrook.
Pate.	Wilmans.
Patman.	Wilson.
Patterson.	Young.

Absent.

Green.	Russell
Hughes.	of Callahan.
Johnson.	Sanford.
Lamb.	Strickland.
LeMaster.	Wells.
Looney.	

Absent—Excused.

Amsler.	Jones.
Barrett.	Kemble.
Blount.	LeStourgeon.
Carpenter	Lusk.
of Dallas.	McFarlane.
Carter of Coke.	Merriman.
Carter of Hays.	Pinkston.
Crawford.	Purl.
Dielmann.	Quinn.
Dinkle.	Rogers.
Dodd.	Russell of Trinity.
Edwards.	Teer.
Frnka.	Turner.
Hardin	Wessels.
of Kaufman.	Williamson.
Houston.	Winfree.
Hull.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Barrett and Mr. Crawford for today, on motion of Mr. Jennings.

Mr. Dinkle for today and tomorrow, on motion of Mr. Beasley.

Mr. Edwards for today, on motion of Mr. Cable.

Mr. Jones for today and tomorrow, on motion of Mr. Quaid.

Mr. Kemble for today, on motion of Mr. McNatt.

Mr. Teer and Mr. Turner for today, on motion of Mr. Shearer.

Mr. Carter of Hays and Mr. Winfree for today, on motion of Mr. Potter.

Mr. Houston and Mr. Bobbitt for today, on motion of Mr. Arnold.

Mr. Quinn and Mr. Amsler for today, on motion of Mr. Morgan of Liberty.

Mr. LeSturgeon for today, on motion of Mr. Davenport.

Mr. McFarlane for today, on motion of Mr. Greer.

Mr. Hardin of Kaufman for today, on motion of Mr. Collins.

Mr. Wessels for today, on motion of Mr. Stell.

Mr. Williamson for today, on motion of Mr. Burmeister.

Mr. Hull and Mr. Purl for today, on motion of Mr. Jacks.

Mr. Dielmann for today, on motion of Mr. Young.

The following members were granted leaves of absence on account of sickness:

Mr. Dodd for today and indefinitely, on motion of Mr. Robinson.

Mr. Carpenter of Dallas for today and tomorrow, on motion of Mr. Irwin.

Mr. Rogers for today, on motion of Mr. Burmeister.

Mr. Frnka for this week, on motion of Mr. Stewart of Reeves.

Mr. Russell of Trinity for today and remainder of week, on motion of Mr. Stiernberg.

Mr. Pinkston for today, on motion of Mr. Davis.

Mr. Carter of Coke for this week, on motion of Mr. Lewis.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Sackett and Mr. Melson:

H. B. No. 96, A bill to be entitled "An Act to provide for the licensing of public classers; providing for boards of examiners to be appointed by the Commissioner to examine applicants who desire to be licensed as public classers of cotton, grain, hay, wool, rice and other farm, ranch and orchard products, where such products have been standardized; setting out the contents of the application and providing for an examination fee; providing for the bonding of such classers; requiring such classers to keep complete records of their work and to keep on hand certain standards of grades; providing for the settlement of disputes as to doubts or differences of classes of commodities; providing for granting licenses to Federal classers and to graduates of colleges without examination; providing for revoking a license; giving the Commissioner authority to make rules and regulations to carry out the provisions of this act; providing penalties for the enforcement of this act, and repealing certain articles of the statutes and all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Sackett and Mr. Melson:

H. B. No. 97, A bill to be entitled "An Act providing for the licensing of classers and weighers for commodities received into public warehouses; providing for the issuance of certificates of class and weight; providing for regulation of fees to be charged by licensees, and providing for the collection and disposition of a certain percentage of such fees; providing for the use of a seal and prescribing its form; authorizing the Commissioner to prepare and furnish all blanks for the use of licensees; providing for bond and regulating the amount of such bond; requiring monthly reports to be filed by licensees and defining the contents of same; providing for license fees; giving the Commissioner authority to revoke any license on certain conditions, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Patman:

H. B. No. 98, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article

to be numbered Article 7384g, said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations, owning, operating or controlling an establishment in this State for the manufacture or distribution, at wholesale, of jewelry and jewelry supplies, levying a tax of two per cent on the gross receipts of said individuals, companies, associations or corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Patman:

H. B. No. 99, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384n; said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations, owning, operating or controlling an establishment in this State for the manufacture or distribution, at wholesale, of tobacco, cigars and cigarettes, levying a tax of two per cent on the gross receipts of said individuals, companies and associations or corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Patman:

H. B. No. 100, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384i; said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations owning, operating or controlling an establishment in this State for the manufacture or distribution, at wholesale, of moving picture films, moving picture equipment and supplies, levying a tax of one and one-half per cent on the gross receipts of said individuals, companies, associations or corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Patman:

H. B. No. 101, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Civil Statutes of the

State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384u; said article extending the provision of said chapter so as to include individuals, companies, associations or corporations dealing in stocks of mining companies (including oil, gas, petroleum, sulphur and all other minerals); levying a tax of one-half of one per cent on the gross receipts of said individuals, companies, associations or corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Patman:

H. B. No. 102, A bill to be entitled "An Act to amend Chapter 2 of Title 126 of the Revised Civil Statutes of the State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384a; said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations owning, operating and controlling an establishment in this State for slaughtering, refrigerating, canning, curing and packing meats, levying a tax of one-fourth of one per cent on the gross receipts of said individuals, companies, associations or corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Patman:

H. B. No. 103, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384r; said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations engaged in and pursuing the business of brokers, factors, commission merchants or manufacturer's agents; levying a tax of one-half of one per cent on the gross receipts of said individuals, companies, associations or corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Patman:

H. B. No. 104, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Civil Statutes of the

State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384m; said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations owning, operating or controlling an establishment in this State for the manufacture or distribution, at wholesale, of musical instruments; levying a tax of one per cent on the gross receipts of said individuals, companies, associations or corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Patman:

H. B. No. 105, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384b; said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations owning, operating or controlling an establishment in this State for the manufacture or distribution, at wholesale, of soda water, coca-cola, soft drinks and beverages, levying a tax of three-fourths of one per cent on the gross receipts of said individuals, companies, associations or corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Patman:

H. B. No. 106, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384e; said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations owning, operating or controlling an establishment in this State for the manufacture or distribution, at wholesale, of candy, confectionery, cakes, crackers and ice cream; levying a tax of three-fourths of one per cent on the gross receipts of said individuals, companies, associations or corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Davenport:

H. B. No. 107, A bill to be entitled "An Act making it unlawful for any person, firm or corporation to sell or offer for sale for human consumption, any milk which has been so treated by any artificial means or process, as to cause same to have the appearance of containing more cream or butter fat than it actually contains, and providing appropriate penalty for the violation thereof, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Stroder:

H. B. No. 108, A bill to be entitled "An Act creating the Frost Independent School District in Navarro county, Texas; defining its boundaries, including the present Common School District No. 60; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness heretofore voted in Frost Common School District No. 60; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

Referred to Committee on School Districts.

BILL ORDERED NOT PRINTED.

On motion of Mr. Quaid, Senate bill No. 7 was ordered not printed.

ENDORISING GOVERNMENT ACTION
IN REGARD TO MEXICO.

Mr. Pool offered the following resolution:

H. C. R. No. 5, Endorsing government action in regard to Mexico:

Whereas, The government of the United States and the government of Mexico have exchanged communications bearing upon the diplomatic relations of the respective countries; and

Whereas, These communications have resulted in the selection of a commission representing each government, whose duties shall be to mediate the differences of viewpoint which have arisen between the two governments and heretofore have prevented a full and complete understanding in their international relations; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we heartily approve of the course of the government of the United States in seeking to establish closer and friendlier relations between the United States and Mexico; and be it further

Resolved, That the Legislature of Texas hereby tenders its sincere congratulations and best wishes to the commissioners, and we hope for the speedy adjustment of the measures submitted to their arbitrament to the end that the United States may accord recognition to the government of Mexico, thus bringing about the most cordial diplomatic relations between the two great republics of North America;

Resolved, That a copy of this resolution be communicated to the Secretary of State Hughes, at Washington and President Obregon, at Mexico City.

Signed—Pool, Lackey, Montgomery, Pope, Quaid, Stevens, Quinn, Lewis, Stewart of Reeves, Cowen, Gipson, Baker of Orange, Burmeister.

The resolution was read second time and was adopted.

RELATING TO REPORT ON COTTON CROP.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 10, Relating to report on cotton crop:

Whereas, Officials of the United States government recently made public a purported cotton crop and acreage report of eighteen economists to the Department of Agriculture, in which the acreage to be planted in cotton for the year 1923, and the yield thereof, was attempted to be forecast; the general tenor of said report being to the effect that there will be a large crop of cotton produced in the United States in the year 1923, and the result of the publication of said report has been to depress the market price of cotton; and

Whereas, The action of said officials in giving out said report at this time is unprecedented for at least fifty years, the first regular forecast not being due

until July, and only last year the Department of Agriculture officials refused the request of cotton interests that the probable decrease in cotton acreage be estimated early in the season; and,

Whereas, Said estimate recently given out is so contrary to facts of common knowledge in the cotton growing States as to throw serious doubts on its accuracy; it being well known that the lateness of the season and unprecedented rains in the cotton belt will in all probability result in a decrease in acreage and yield; and such decrease will be augmented by the shortage of labor, as shown by reports of the Department of Agriculture of the United States; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That we condemn said report as being untimely and unwarranted, and injurious to the great cotton farming class of this State; and be it further

Resolved, That the President and Attorney General of the United States be respectfully petitioned to inquire into the making public of said report, at this time, and to take such action in respect thereto as the facts may warrant; and be it further

Resolved, That the Secretary of the Senate be directed to forward a copy of this resolution to the President and Attorney General of the United States, and to each United States Senator and member of Congress from the State of Texas.

The resolution was read second time and was adopted.

INVITING HON. ALVIN OWSLEY TO ADDRESS THE LEGISLATURE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 12, Inviting Hon. Alvin Owsley to address the Legislature:

Whereas, Hon. Alvin M. Owsley, national commander of the American Legion, will be in Texas in the near future; and

Whereas, Texas is proud of the signal honor which has been conferred upon this brilliant young soldier, and rejoices in the whole-hearted reception he has received over the entire nation; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That he be invited to address a joint session of the House and Senate at

such time as he may find it convenient to do so.

The resolution was read second time and was adopted.

RELATING TO APPROPRIATIONS FOR THE PUBLIC SCHOOLS.

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 3, Relating to appropriations for the public schools.

The resolution having been read second time on last Thursday.

Mr. Chitwood offered the following (committee) amendment to the resolution:

Amend House Concurrent Resolution No. 3, line 12, by striking out all after the word "sufficient" in line 12 to the word "sources" in line 15, and inserting the following: "Revenue should be provided for the available school fund."

The amendment was adopted.

Mr. Burmeister moved a call of the House for the purpose of maintaining a quorum until 4 o'clock p. m. today, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Burmeister, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

The roll was called and a quorum was announced present.

Question recurring on House Concurrent Resolution No. 3, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—86.

Arnold.	Cowen.
Baker of Milam.	Culp.
Baker of Orange.	Davenport.
Baldwin.	Davis.
Barker.	DeBerry.
Bell.	Downs.
Bryant.	Driggers.
Burmeister.	Duffey.
Cable.	Dunlap.
Carpenter	Dunn.
of Matagorda.	Durham.
Carson.	Faubion.
Chitwood.	Fields.
Coffee.	Finlay.
Collins.	Fugler.
Covey.	Greer.

Hardin of Erath.	Pool.
Harrington.	Potter.
Harris.	Price.
Henderson	Quaid.
of Marion.	Rice.
Hendricks.	Robinson.
Howeth.	Rountree.
Irwin.	Rowland.
Lackey.	Sackett.
Laird.	Shires.
Lane.	Simpson.
Lewis.	Smith.
McBride.	Sparkman.
McDaniel.	Stell.
McDonald.	Stevens.
McFarlane.	Stewart
McKean.	of Edwards.
McNatt.	Stewart of Jasper.
Mathes.	Stiernberg.
Maxwell.	Stroder.
Merritt.	Sweet.
Miller.	Thompson.
Montgomery.	Thrasher.
Moore.	Vaughan.
Morgan	Wallace.
of Robertson.	Wells.
Pate.	Wilmans.
Patman.	Wilson.
Patterson.	Winfree.
Perdue.	Young.

Nays—7.

Jennings.	Satterwhite.
Martin.	Stewart of Reeves.
Morgan	Storey.
of Liberty.	Westbrook.

Present—Not Voting.

Mr. Speaker.	Loftin.
Abney.	Pope.
Avis.	Shearer.
Bird.	

Absent.

Atkinson.	Jacks.
Beasley.	Johnson.
Bobbitt.	Lamb.
Bonham.	LeMaster.
Gipson.	Looney.
Green.	Russell
Henderson	of Callahan.
of McLennan.	Sanford.
Hughes.	Strickland.

Absent—Excused.

Amsler.	Dodd.
Barrett.	Edwards.
Blount.	Frnka.
Carpenter	Hardin
of Dallas.	of Kaufman.
Carter of Coke.	Houston.
Carter of Hays.	Hull.
Crawford.	Jones.
Dielmann.	Kemble.
Dinkle.	LeStourgeon.

Lusk.	Rogers.
Melson.	Russell of Trinity.
Merriman.	Teer.
Pinkston.	Turner.
Purl.	Wessels.
Quinn.	Williamson.

HOUSE BILL NO. 52 ON SECOND READING.

On motion of Mr. Young, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 52, A bill to be entitled "An Act to amend Article 7380 of Chapter 2, Title 126, of the Revised Civil Statutes of Texas of 1911, relating to the levy of an occupation tax based upon gross receipts of individuals, firms, companies, corporations and associations engaged in this State in the business of a wholesale or retail dealer in pistols; extending the provisions of said article so as to include those who are engaged in the sale, rental or lease of such firearms, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Young moved the previous question on the bill, and the motion was not seconded.

(Mr. Chitwood in the chair.)

House bill No. 52 then failed to pass to engrossment.

Mr. Culp moved to reconsider the vote by which the bill failed to pass to engrossment, and asked to have the motion to reconsider spread on the Journal.

Mr. Loftin called up the motion to reconsider and moved to table the motion.

Question recurring on the motion to table, yeas and nays were demanded.

(Speaker in the chair.)

The motion to table prevailed by the following vote:

Yeas—57.

Abney.	Coffee.
Atkinson.	Collins.
Avis.	Covey.
Baker of Milam.	Cowen.
Baker of Orange.	DeBerry.
Baldwin.	Downs.
Barker.	Driggers.
Bell.	Faubion.
Bird.	Fields.
Burmeister.	Finlay.
Cable.	Fugler.
Carpenter	Gipson.
of Matagorda.	Green.
Chitwood.	Harris.

Hendricks.	Pate.
Howeth.	Perdue.
Jennings.	Pool.
Lackey.	Rountree.
Lane.	Sackett.
LeMaster.	Satterwhite.
Loftin.	Shearer.
McDaniel.	Shires.
McKean.	Sparkman.
Martin.	Stell.
Maxwell.	Stevens.
Merritt.	Stewart of Jasper.
Miller.	Stiernberg.
Moore.	Storey.
Morgan	Sweet.
of Liberty.	

Nays—39.

Arnold.	Montgomery.
Beasley.	Morgan
Bryant.	of Robertson.
Carson.	Patman.
Culp.	Patterson.
Davenport.	Pope.
Davis.	Quaid.
Duffey.	Rice.
Dunn.	Robinson.
Durham.	Rowland.
Greer.	Simpson.
Hardin of Erath.	Smith.
Harrington.	Stewart of Reeves.
Henderson	Stroder.
of Marion.	Thompson.
Irwin.	Thrasher.
Laird.	Vaughan.
Lewis.	Wallace.
McBride.	Westbrook.
McNatt.	Wilson.
Mathes.	Young.

Present—Not Voting.

Mr. Speaker.	Stewart
Dunlap.	of Edwards.
McDonald.	Wells.
Potter.	Wilmans.

Absent.

Bobbitt.	Looney.
Bonham.	Melson.
Henderson	Price.
of McLennan.	Russell
Hughes.	of Callahan.
Jacks.	Sanford.
Johnson.	Strickland.
Lamb.	

Absent—Excused.

Amsler.	Dielmann.
Barrett.	Dinkle.
Blount.	Dodd.
Carpenter	Edwards.
of Dallas.	Frnka.
Carter of Coke.	Hardin
Carter of Hays.	of Kaufman.
Crawford.	Houston.

Hull.	Quinn.
Jones.	Rogers.
Kemble.	Russell of Trinity.
LeStourgeon.	Teer.
Lusk.	Turner.
McFarlane.	Wessels.
Merriman.	Williamson.
Pinkston.	Winfree.
Purl.	

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 30, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 35, A bill to be entitled "An Act amending Section 1, Chapter 3, of the Acts of the Thirty-fifth Legislature, Third Called Session, entitled 'An Act creating the Anahuac Independent School District in Chambers county, Texas,' by redefining and adding to the Anahuac Independent School District certain territory now embraced in Common School District No. 20 of Chambers county, Texas; and adding thereto Section 1a, divesting the said Common School District No. 2 of the control of the public free schools within the limits of the territory herein added to said Anahuac Independent School District and investing the said Anahuac Independent School District with full control of the public free schools within the limits of said independent district as herein defined, and declaring an emergency."

Respectfully,
RICHARD BLALOCK,
Assistant Secretary of the Senate.

HOUSE BILL NO. 14 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 14, A bill to be entitled "An Act providing for the collection of delinquent occupation, franchise, inheritance and insolvent taxes and other money due the State, and providing a means for collecting such taxes, repealing all laws in conflict with this act, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Pope and substitute by Mr. Bonham for the amendment pending.

Question recurring on the substitute by Mr. Bonham, it was lost.

Mr. Satterwhite offered the following substitute for the amendment by Mr. Pope:

Amend House bill No. 14 by striking out all after the enacting clause and in lieu thereof substitute the following:

"Section 1. The Tax Commissioner of the State of Texas is hereby authorized and empowered, and it is made his duty to appoint and contract with some suitable person or persons whose duty it shall be to look specially after, sue for and collect personal property taxes for a per cent as hereinafter provided for by this chapter, and the commissioners court of the various counties within the State shall be authorized to join in said contract and allow the same per cent for county taxes that is contracted to be paid by the Tax Commissioner for the collection of State taxes, which shall not exceed twenty (20) per cent of the taxes, penalty and interest actually collected and paid to the tax collectors of the State, which shall be receipted for and reported by said collectors as other insolvent collections, provided collections made under the provisions of this chapter shall be listed separately in the collectors' monthly reports on forms provided by the Comptroller.

"Sec. 2. The amount of compensation due such person or persons shall be paid by the respective collectors out of such taxes collected and so shown in the collectors' monthly reports, and the person or persons contracted with shall, on forms to be furnished by the Comptroller, make a sworn statement to the Comptroller of Public Accounts of this State on the first day of each month or as soon thereafter as is practicable so to do, showing the amount of taxes collected and the persons or corporations from whom collections were made, said report to show the amount of taxes collected and commission retained from each of the respective counties.

"Sec. 3. It shall be the duty of the person or persons so contracted with to institute suit in the name of the State for the recovery of all moneys due the State and county as taxes due and unpaid on personal property and poll taxes and, in all suits, where judgment is obtained under this act, the person or persons owning the property on which there are taxes due the State and county shall be liable for all costs; provided, such suits may be brought for all taxes

so due and unpaid for which such taxpayer may be in arrears for and since the year A. D. 1915; provided further, the State and county shall be exempt from liability for any costs growing out of such action; provided all suits brought under this act for the recovery of taxes due on personal property shall be brought against the person or persons who owned the property at the times such property was or should have been listed or assessed for taxation.

"Sec. 4. The person or persons so contracted with under this act shall be required to mail to the delinquent taxpayer a notice showing the amount of taxes and penalty due for each of the respective years said taxpayer may be in arrears and, in no instance, shall suit be instituted against any delinquent taxpayer before the expiration of thirty days from the date of said notice; provided, the person or persons so contracted with under this act shall have the right to employ one or more agents or attorneys to assist in the collection of such taxes as he deems necessary; provided further, the person or persons contracted with shall furnish all notices, postage, stationery, etc., as is necessary.

"Sec. 5. It shall be the duty of the tax collectors of the respective counties of this State to furnish the person or persons contracted with under this act, lists showing the names and amounts of taxes due by delinquent taxpayers on personal property for and since the year 1915, to and including the year 1922, and on the first day of April thereafter, or as soon as is possible for them to do; provided this list shall be a copy of the lists required by the Comptroller of Public Accounts of this State in making annual settlements of their respective accounts, said forms being known as Form 16; provided further, that the person or persons contracted with shall make a bond payable to the Governor of this State and his successors in office to the amount of ten thousand (\$10,000) dollars, said bond to be signed by not less than three good and sufficient sureties, or by the agent of some bonding company doing business under the laws of this State.

"Sec. 6. The passage of this act shall not have the effect of repealing any tax gathering law now on our statutes, but is intended as an additional means of collecting personal property taxes after the same has been reported on the insolvent lists as uncollected, following the 31st of March of each year by the tax collectors throughout the State and

also for the collection of taxes on personal property having escaped taxation.

"Sec. 7. The fact that there is now so little attention being paid to the collection of delinquent taxes on personal property and poll taxes, and the necessity for the employment of some suitable person to the end that the State may derive the revenue that it is entitled to and the shortness of the present session, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be and is hereby suspended, and this act shall become a law from and after its passage, and it is so enacted."

Mr. Burmeister moved that the call of the House be extended until 5 o'clock p. m. today, and the motion was lost.

(Mr. Beasley in the chair.)

Mr. Greer moved that further consideration of the bill be postponed indefinitely.

Mr. Davenport moved the previous question on the pending amendment, substitute, motion to postpone and the bill, and the motion was duly seconded.

Question recurring on the motion for the previous question, yeas and nays were demanded.

The roll call on the motion for the previous question developed the fact that there was not a quorum present, and it was so announced.

ADJOURNMENT.

Mr. Patman moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Davenport moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Davenport prevailed, and the House accordingly, at 5:05 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

TWELFTH DAY.

(Tuesday, May 1, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Arnold.	Beasley.
Atkinson.	Bell.
Avis.	Bird.
Baker of Milam.	Bonham.
Baker of Orange.	Bryant.
Barker.	Burmeister.